

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

NORTHERN DYNASTY
MINERALS LTD. and PEBBLE
LIMITED PARTNERSHIP,

Plaintiffs,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY

Defendant.

Case No. 3:24-cv-00059-SLG

DECLARATION OF MELANIE BROWN

I, Melanie Brown, hereby declare as follows:

1. My name is Melanie Anastasia Brown. I have a Bachelor of Arts degree from the University of Alaska-Fairbanks.

2. I make this declaration in support of SalmonState's Motion to Intervene in the above-captioned litigation. I know these facts of my own personal knowledge and would competently testify to them if called as a witness in these proceedings.

3. I am currently serving as Outreach Director for SalmonState, and I am also a member of the organization.

4. I have spent nearly every summer of my life in the community of Naknek, which lies at the mouth of the Naknek River as it flows into Kvichak Bay within the

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Bristol Bay watershed. Growing up, I went to school in Anchorage where my dad was a teacher, and our family went to Bristol Bay every year when the school year was over.

5. I have extensive family and cultural ties to the Bristol Bay region, primarily on my mother's side of the family, which is Yup'ik. My maternal great-grandfather, Paul Chukan, was born in Naknek in the early 1900s. He and his family lived in a barabara (semi-subterranean longhouse), and they survived the Katmai volcanic eruption of 1912 and he was orphaned by the Spanish influenza pandemic of 1918-1920. He was Unangan (Aleut), meaning his people came from the Aleutian Islands. His side of the family has longstanding historic and cultural ties to Bristol Bay through the regions' interconnected watersheds and fish populations.

6. My maternal great-grandmother, Anna Chukan, and her family are Sugpiaq (Alutiiq). They moved from Kodiak to Levelok in the early 1900s to work in the salmon industry. Levelok is a community along the Kvichak River downstream from Iliamna Lake in the Bristol Bay region. My great-grandmother and her family ended up staying long-term in Levelok because of the Katmai volcanic eruption. She was later orphaned by the Spanish influenza pandemic. When she reached a marriageable age, she went to Naknek to marry my great-grandfather.

7. My father's side of the family is Iñupiaq. My father, Melvin Brown, grew up in Unalakleet, a coastal community southeast of Nome. He became a fisherman when he met my mother. He first came to Bristol Bay in the summer of 1963, and they got

married in Naknek at the end of that fishing season. He started as a setnetter, but then he shifted to drift-fishing out of an open skiff until he could afford a powerboat. My parents split their time between commercial fishing in Naknek in summers and spending their winters in Anchorage.

8. When I was about 10 years old, my mom decided it was time for me to begin fishing our family's setnet site on the Naknek River. My great-grandfather, Paul Chukan, had staked out a setnet site outside the mouth of the Naknek River when people started set netting in Bristol Bay toward the end of the sailboat fishing era, which ran from the 1880s to the early 1950s. He also earned a limited entry commercial salmon fishing permit. He passed that permit and the setnet site on to me when he stopped commercial fishing.

9. My son and daughter always come out to Bristol Bay with me in the summers. They're my crew. The three of us run our setnet site out of an open skiff. They've been coming out to Bristol Bay with me since they were little, even before they started fishing. I got them started fishing around age 10, the same age as I was when I started. I am proud that they're continuing the fishing tradition of our family. They get to see their cousins out in Bristol Bay too. Their cousins spend their summers out there every year too, and they fish near us. We are all able to help each other when we run into predicaments.

10. It's really important to me to leave this beautiful and productive land intact, and I hope that people will understand the value in that. This land in its completeness has so much to teach us about how we can repair lands and waters that have been damaged but may still have a chance to recover.

11. I bought a house in Naknek a few years ago. Even though I spend part of the year in Juneau, I felt that I wanted to invest in Bristol Bay and buy a house there rather than in Juneau. Having property in Naknek and spending summers there is important to me because it allows me and my children to maintain and strengthen our connections to our family, culture, salmon, and the land.

12. The proposed Pebble Mine threatens these connections. It breaks my heart to think that our connections to our culture and to the Native foods of Bristol Bay could be broken. Without salmon, Bristol Bay would become a desolate place.

13. I sought out work to fight the proposed Pebble Mine project as early as 2008 and volunteered my time until I was given an opportunity to contract for Trout Unlimited-Alaska. I have been a Wild Salmon Advocate and Organizer since 2009. Since Spring 2023, I have been working as Outreach Director at SalmonState, and I am also a member of the organization.

14. I have also visited many other villages and towns in the Bristol Bay region over the course of my lifetime. I have been to the communities of Chignik Lake, Port Alsworth, Nondalton, Kokhanok, Igiugig, Levelock, Togiak, Egegik, Pilot Point, and

Brooks Camp. I have visited some of these communities to talk about job opportunities, some for fishing-related activities, and some for information-sharing tours. I have also visited the Valley of 10,000 Smokes in Katmai National Park for recreation.

15. The last time I went to Bristol Bay was in February of 2024 to visit the town of Dillingham. I will go back later in Spring 2024 to lay my father's headstone with my family, and then I will return in June 2024 for the fishing season.

16. Protecting Bristol Bay and Alaska's water and fish resources is very important to me because the water and the fish sustain the people of Bristol Bay and provide food security for the people and food for the world.

17. The proposed Pebble Mine and any similar mine project pose a serious threat to salmon spawning areas, water quality, and the wildlife and people of the Bristol Bay region through the destruction and degradation of streams, release of toxic materials, and other harmful impacts.

18. I am concerned about how the Pebble Mine could adversely impact the natural habitats of Bristol Bay and how that would affect the productivity of wild salmon stocks in the region. I am also worried that, if Pebble is built, it will make it easier for other large-scale mining projects to be built.

19. I have testified at hearings held by the U.S. Environmental Protection Agency (EPA) concerning the Pebble Mine project in Naknek and Anchorage, and I have also submitted written comments online.

20. In the early days, I volunteered at special events. After I was hired, I worked to share information with people about the Pebble Mine at meetings in the Bristol Bay region, and I organized special events so that people could learn more about the potential impacts of the Pebble Mine project.

21. My fishing business, including a set-net site and permit, would be devalued if the Pebble Mine is permitted and built because people would not want to eat salmon from Bristol Bay anymore, especially if there is a tailings impoundment breach. My children fish with me too, and they would not be able to participate in the fishery if it is impacted by a mine.

22. We would also feel concerned about eating salmon that is tainted by inevitable acid mine drainage. I would question whether it is safe for me and my family to eat fish downstream of the mine if it is built.

23. SalmonState and its members and supporters have advocated for many years in favor of EPA's determination under Section 404(c) of the Clean Water Act, which was finalized in January 2023, because it protects the Bristol Region's salmon, waterways, habitat, commercial fishers, and traditional subsistence-based communities from the destructive impacts of large-scale mining. I personally support EPA's decision for these reasons as well.

24. SalmonState and its members, including me, would be very disappointed in knowing that the last great run of wild sockeye salmon, which provides our world with

over half of the sockeye supply, would be on its way toward extinction after being a sustainably managed commercial fishery since 1886. We would also be saddened to know that the way of life of the people of Bristol Bay who identify so completely with wild salmon would likely lose the salmon part of our culture.

25. It is important that SalmonState be involved in this lawsuit as a party because our work is centered around Alaska remaining a place for wild salmon to thrive, and large-scale mining projects like the proposed Pebble Mine threaten to harm wild salmon populations and their habitat.

26. The plaintiffs in this litigation seek to reverse EPA's important decision protecting the Bristol Bay region. This would severely harm the interests of SalmonState, as well as me and my family.

27. SalmonState and its supporters are not adequately represented by EPA in this lawsuit. EPA does not have the intimate knowledge and understanding of the Bristol Bay region in the same way that the people who are of the land and spend time on the land do.

28. While we support EPA's Final Determination, we can only be sure that our interests are protected by participating in the lawsuit as a party. EPA has changed course before, as in 2017 when it suddenly withdrew its Proposed Determination after a change in administration. Agency leadership could change again during the pendency of this lawsuit, especially in light of the upcoming November 2024 election. Only by intervening

and gaining the rights of a party can SalmonState be sure that its interests and those of its members and supporters are protected.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 26th day of April, 2024 in Juneau, Alaska.



Melanie Brown